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Book review

Medical law. Jo Samanta, Ash Samanta. Palgrave Macmillan Law Masters, UK (2011), 978-0230235328

In recent years there has been something of a tsunami of new texts on medical law of varying style and content. Many have failed to be useful texts, often failing in both indexing and content. Medical Law, published as part of a series of legal texts by Palgrave Macmillan Law in 2011; written by husband and wife couple academic lawyer Jo and doctor husband Ash (who is also a law lecturer), definitely does not fall into that category. Priced at rrp £24.99 (available on line from £15.59) overall it is an excellent text for a variety of readers, providing a clear introduction to the legal and regulatory framework of medical law today; something that is difficult to achieve.

It is a volume large enough to act as a clear reference text but not so large as to be inaccessible for the more general reader. Topics covered, arranged in easily accessible chapters, cover the full range of contemporary medical law topics. Chapters range from negligence to capacity and consent through abortion, assisted reproduction, children's issues, to research, transplantation, mental health law, the end of life and predictions for the future. The text briefly touches on the regulatory framework for health professionals but mentions only the GMC, with no detailed reference, and no reference at all to the regulation of other health professionals.

The style and layout of the text is readable and accessible. At the beginning of each chapter is a very clear tree based contents making it much easier than a traditional contents list to find exactly what you need within the chapter. At the end of each chapter is a very clear summary of the chapter content indexed to fit in with the paragraph numbers. The reader in a hurry could easily and quickly, within a few minutes, glean the salient points of the each chapter and easily refer back to the underlying full paragraph where further detail is needed. At the beginning of each chapter is an illustrative case scenario which is then developed through the chapter asking the reader to consider questions as the text unfolds. At the end of each chapter is a summary of the exercise set out as the fictional case evolved. Personally I found this aspect of the text rather contrived but it may well be useful for students studying the text as part of academic courses.

The first chapter, mainly medical ethics and morals, started as a rather unpromising read for the reader looking for an up to date medical law text. I found the ethics rather passé and not really what I was looking for in a medical law text. For example the section on feminist ethics churned out the somewhat tired mantra

of male norms being used to disempower and exercise control over women by the "medicalisation of childbirth". If you want a summary of virtue ethics, casuistry, multicultural ethics, consequentialism and deontology read this chapter! This chapter could have had a more practical review of ethics by looking at the position of the health professionals regulatory bodies, which are not mentioned in this context.

From the second chapter onwards this is a really excellent text. Chapter two, The Contemporary Healthcare environment, covers a review of health organisation today and then reviews the law of confidentiality, regulatory matters etc. The clinical negligence chapter is superb including an accurate analysis of case law. The chapter included a review of criminal negligence and a review of the need to reform. The text reviewed issues emanating from the Mental Capacity Act 2005 in considerable detail and an easy to read style. The concept consent and capacity was well set out in Chapter four with a particularly clear review of the new Lasting Powers of Attorney and the difficulties faced in operating these. The chapter on mental health is a superb synopsis of a complex area. The interaction between the Mental Health Act and the Mental Capacity Act is eloquently explained. The Chapter on death and dying is clear and pragmatic review of ethics and law, a rapidly developing area of medical law. It is an area where the law and ethics are inextricably linked the book provides a good balance showing how case law has developed in tandem with ethical principles and the interaction of moral principles.

Overall this is a text that will appeal to a wide audience. It is a readable style, a very accurate reference text and competitively priced. It is only available as a book and not in any electronic form. The binding of the book is robust, an important point in my view, and hasn't shown a tendency to fall apart at the spine as so many do.

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